



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9230 of 2022

1 MANIKANDAN

[PETITIONERS / ACCUSED]

2 VENKATESH

3 MARIYAPPAN @ MARIMUTHU

4 PONNUTHAI

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
DHARAPURAM POLICE STATION,
TIRUPPUR DISTRICT
CRIME NO.200 OF 2022.

[RESPONDENT]

For Petitioner : M/S.C.S.SARAVANAN Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 & 506 (Part II) of IPC, in Crime No.200 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein are apprehending arrest in Crime No.200 of 2022. As per the prosecution, on 15.04.2022 at about 08.45 p.m., due to previous enmity, clash between the defacto complainant's family and the petitioner's family has taken place, in which, the members of both group sustained simple injuries and they have used iron rod, coconut stick and hands caused injury. The occurrence had taken place due to previous enmity, using the pathway and civil suit



is also pending. It is a case and case in counter in which the fourth petitioner herein has given a complaint against the defacto complainant and others and the same has registered in Crime No.199 of 2022.

WEB COPY

3. Mr.S.Santhosh, learned Government Advocate (Criminal Side) appearing for the respondent Police opposed granting Anticipatory Bail to the petitioner.

4. Considering the facts of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Dharapuram, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the Investigating Officer, Pollachi Police Station daily at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

22/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
DHARAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DHARAPURAM POLICE STATION,
TIRUPPUR DISTRICT.

4 THE OFFICER INCHARGE,
POLLACHI POLICE STATION,
COIMBTORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.S.SARAVANAN Advocate on payment of necessary charges SR.NO. 6188

CRL OP.9230/2022

Date :22/04/2022

RW 27/04/2022